

**STATE CODES AND STANDARDS COMMITTEE
MINUTES**

June 11, 2014

1. The Chair called to order the regular meeting of the State Codes and Standards Committee. The meeting was held in the conference room (G38) at 165 Capitol Avenue, Hartford, Connecticut.

2. **In Attendance:**

Henry Miga, Chair
Anthony M. Bruno
John Butkus
Paul Costello
Christopher Cozzi
Thomas DiBlasi
Keith Flood
Louis Free
Robert Hanbury
Donald Harwood
George Iskra
David McKinley
Michael Musco
Glenn Neilson
Michael Nero
Eric Shutt
Michael Sinsigalli
Carlton Smith
Fred Wajcs, Jr.
William Zoeller

Also Present:

Daniel Tierney, OSBI
William Abbott, OSFM
Jenna Padula, DAS Legal
Bruce Spiewak, AIA Connecticut

3. Attendance was taken and a quorum was present. A motion was made and seconded to accept the minutes of the May 14, 2014 meeting. All in favor. None opposed. Motion carried.

4. COMMUNICATIONS

- a. **A-5-14. Request for appeal from Gerard Altieri re Waterbury Fire Marshal's decision re 14-05-19 re 233 River Street, Waterbury, CT. Send letter to appellant requesting clarification on what he is appealing. Forward to Office of State Fire Marshal (OSFM).**
- b. **A-2-14 (A&B). Correspondence from Valentino Ferraro re appeal of State Fire Marshal's decision re A) FM-0038-14 re 782 Broad Street, Meriden, CT and B) FM-0039-14 re 782 Broad Street, Meriden, CT. See Section Appeal Hearings 8.j. On 6/9/14 appellant withdrew appeal. Remove from agenda.**

5. SUBCOMMITTEE REPORTS

a. Codes Amendment Subcommittee: (Free)

This subcommittee met on May 14, 2014 and will meet today to continue code review. The next meeting will be held on June 25, 2014 at 1:00.

b. Ethics/Procedural Regulations Subcommittee: (Shansky) There was no report.

6. OLD BUSINESS

There was no report.

7. NEW BUSINESS:

a. Staff Report

There was no report.

b. Fire Prevention Code Advisory Committee (Harwood/Shansky)

Bill Abbott, State Fire Marshal, advised the Fire Prevention Code was moving forward. A revised draft copy was recently revised with minor changes & will be forwarded to the Codes Amendment Subcommittee shortly.

c. Joint Fire Marshal Training Council (Harwood)/Building Code Training Council (Musco) (aka Joint BCTC/FMTC) There was no report.

d. Report on Bills Brief discussion was held regarding:

PA 14-137 (SB 5150) was signed by Governor Malloy, which states in part that the State Fire Marshal and the Codes and Standards Committee to (1) certify certain fire safety officials, (2) establish experience requirements for these officials, and (3) recognize training programs offered by private institutions. The State Fire Marshal and the Codes and Standards Committee, acting jointly, shall adopt minimum standards of qualification for local fire marshals, deputy fire marshals, fire inspectors

and such other classes of inspectors and investigators as they deem necessary.

8. APPEAL HEARINGS

- a. **A-4-10. Appeal from Steven Edelman re Windham Building Official's decision re 202 Scotland Road, Windham, CT.** On June 21, 2010 a postponement was granted as a result of appellant's request for a stay of the proceedings. On January 24, 2013 correspondence received from appellant. On January 24, 2013 correspondence received from appellant. **On March 21, 2013 referred to legal counsel. On June 3, 2014 certified letter sent to appellant requesting status of appeal and to respond in writing by June 17, 2014. Hold on agenda.**
- b. **A-28-11. Appeal from Steven Edelman re Acting State Building Inspector's decision re 29-252(d) re Town of Windham Building permit application re 202 Scotland Road, Windham, CT.** John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson and Marjorie Shansky are recused. **Panel consists of Henry Miga, Panel Chair; Anthony Bruno and George Iskra. David McKinley will be the alternate. Panel will review 29-252(d) as it applies to this appeal. If panel determines aggrievement, then appeal hearing may immediately follow to consider the merits of this appeal. Hearing set for June 16, 2014, at 10:00 in room G38. Hold on agenda.**
- c. **A-14-13. Request for appeal from Sander Marku re Deputy State Building Inspector and Office of Protection and Advocacy's decision re L-16-13 re Fox Glove, 179 Flanders Road, Niantic, CT.** Panel consists of David McKinley, Panel Chair; Fred Wajcs, Jr. and Henry Miga. George Iskra will be the alternate. Hearing was held on November 13, 2013 and recessed pending possible resolution. On December 16, 2013 certified letter sent to appellant requesting status of appeal and to respond in writing by December 30, 2013. On January 2, 2014 correspondence received from appellant advising he wishes to pursue the appeal. Hearing set for February 13, 2014 was postponed due to weather. **Hearing was held on April 9, 2014. Decision will be sent out within 90 days [by July 9, 2014]. On May 9, 2014, Tony Sheridan, appellant's representative, requested that the hearing be reopened. On June 2, 2014 letter sent to Tony Sheridan (appellant received a copy). Hold on agenda.**
- d. **A-15-13. Request for appeal from Bernard Steadman, Esq., re Mystic Fire Marshal's decision re 41 East Main Street, Mystic, CT.** Panel consists of Glenn Neilson, Panel Chair; Donald Harwood and Keith Flood. Louis Free will be the alternate. On 9/12/13 forwarded to OSFM for review. On 9/13/13 additional information received from appellant. On 10/7/13 received the Office of the State Fire Marshal's report dated 9/12/13. **Hearing set for December 11, 2013 was not held; on 11/14/13 appellant requested postponement until after February 15, 2014.**

Hearing set for May 14, 2014 in room G38, was cancelled. On 5/9/14 Jason Cerniglia, appellant & owner, advised he terminated Attorney Steadman and requested a 30 day postponement pending possible resolution. Send status letter.

- e. **A-16-13. Request for appeal from Jeffrey Margolis re Stamford Fire Marshal's decision re Dinosaur BBQ, 845 Canal Street, Stamford, CT.** Panel consists of Keith Flood, Panel Chair; Fred Wajcs, Jr. and Michael Nero. Michael Sinsigalli will be the alternate. On 10/10/13 referred to Office of the State Fire Marshal (OSFM) for review. On 12/9/13 OSFM's report was received. **Hearing was held on January 8, 2014. Decision will be sent out within 90 days [by April 8, 2014]. Decision was sent out on February 7, 2014. On 2/13/14 letter from Greg Grew requesting appeal be reopened. On 4/9/14 discussion was held. On June 2, 2014 letter sent to Greg Grew. Hold on agenda.**
- f. **A-18-13. Request for appeal from Bruce Spiewak re State Fire Marshal's decision re 44 modification decisions re 1, 2, 3, 4, 5, 20, 21, 22, 23, 24, 25, 26, & 27 Amato Drive, South Windsor, CT.** Michael Musco is recused. Panel consists of Michael Sinsigalli, Panel Chair; Donald Harwood and George Iskra. Michael Nero will be the alternate. See file for list of the 44 denial decisions. Hearing set for January 8, 2014 was postponed at the December 3, 2013 request of Walter Summers, South Windsor Fire Marshal. **Hearing was rescheduled and was held on March 12, 2014. Decision will be sent out within 90 days [by June 12, 2014]. Hold on agenda.**
- g. **A-19-13. Request for appeal from Jeffrey Reiner re West Hartford Fire Marshal's decision re 25 Stanley Street, West Hartford, CT.** Michael Sinsigalli is recused. Panel consists of Keith Flood, Panel Chair; Glenn Neilson and Carlton Smith. Christopher Cozzi will be the alternate. Hearing to address timeliness and aggrieved party issues set for March 12, 2014 was postponed; on 2/21/14 appellant requested postponement. **Aggrievement and timeliness hearing was rescheduled to April 9, 2014; on 3/3/14 appellant requested second postponement. Aggrievement and timeliness hearing was rescheduled to May 14, 2014 in room G38, in Hartford. Appeal hearing may immediately follow. Decision will be sent out within 90 days [by August 14, 2014]. Hold on agenda.**
- h. **A-20-13. Request for appeal from Louis Pittocco, Esquire, re Greenwich Fire Marshal's decision re Quarry Knoll, 0 Quarry Knoll, Greenwich, CT.** On February 3, 2014 forwarded to the Office of the State Fire Marshal for review. **On 2/26/14 OSFM's investigative report received. Hearing was held on April 9, 2014. Decision will be sent out within 90 days [by July 9, 2014]. Hold on agenda.**

- i. **A-1-14. Request for appeal from Thomas Gribbin re State Fire Marshal's decision re FM-0360-13 re Mystic and Noank Library, 20 Library Street, Mystic, CT.** Panel consists of Michael Sinsigalli, Panel Chair; Louis Free and Fred Wajcs, Jr. Marjorie Shansky will be the alternate. On 1/28/14 correspondence received from Daniel Forrest, Dept. Economic & Community Development. **Hearing was held on April 9, 2014. Decision will be sent out within 90 days [by July 9, 2014]. Hold on agenda.**
- j. **A-2-14. Request for appeal from Valentino Ferraro re State Fire Marshal's decision re A) FM-0038-14 re 782 Broad Street, Meriden, CT and B) FM-0039-14 re 782 Broad Street, Meriden, CT.** Panel consists of Keith Flood, Panel Chair; Carlton Smith and Paul Costello. Fred Wajcs, Jr. will be the alternate. **Hearing set for June 11, 2014 was not held; on June 9, 2014 appellant withdrew appeal. Remove from agenda.**
- k. **A-3-14. Request for appeal from John Dischinger re Deputy State Building Inspector's decision re M-255-14A re 20 Driftway Point Road, Danbury, CT.** Panel consists of Glenn Neilson, Panel Chair; Louis Free, and Henry Miga. William Zoeller will be the alternate. **Hearing was held on June 11, 2014. On 6/11/14 appeal was denied for lack of prosecution. Remove from agenda.**
- l. **A-4-14. Request for appeal from Rudra Tamm re Deputy State Building Inspector's decision re M-353-14 re 24 West Street, Stafford Springs, CT.** Panel consists of Henry Miga, Panel Chair; Louis Free and Fred Wajcs, Jr. George Iskra will be the alternate. **Hearing was held on June 11, 2014. Decision will be sent out within 90 days [by September 11, 2014].**
- m. **C-1-11. Correspondence from Steven Edelman re complaint request for revocation from Steven Edelman re Windham Building Official (Donald Schultz).** John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson and Marjorie Shansky are recused. On September 22, 2011 correspondence received from appellant. On September 23, 2011 corrected correspondence received from appellant. On October 3, 2011 correspondence received from appellant. On October 17, 2011 referred to Legal Counsel for review. On October 17, 2011 correspondence received from appellant. On November 15, 2011 a follow-up letter was sent to appellant requesting additional information. On March 20, 2012 certified letter sent to appellant requesting clarification and to respond in writing by April 3, 2012. On April 2, 2012 correspondence received from appellant. On April 11, 2012, pending legal review by staff counsel. Procedures will be discussed at meeting of legal counsel, Attorney General's Office, Office of State Building Inspector and Office of State Fire Marshal the week of May 14, 2012. Motion was made and seconded to refer to the Office of State Fire Marshal for investigation. All in favor. None opposed. Motion carried. On June 15, 2012 referred to the Office of State Fire Marshal for investigation. On June 27, 2012 letter

sent to appellant advising case was referred to OSFM. On July 5, 2012 correspondence received from appellant (he had also sent it to Rob Ross, OSFM). As of October 10, 2012 OSFM's investigation is on-going. On January 24, 2013 correspondence received from appellant. As of March 13, 2013 OSFM's investigation is on-going. On March 21, 2013, referred to legal counsel.

On 5/14/14 hearing panel was set. Hearing panel consists of Fred Wajcs, Jr., Panel Chair; Carlton Smith and Keith Flood. Thomas DiBlasi will be the alternate. As of May 14, 2014 awaiting OSFM's report. Hold on agenda.

9. GOOD OF THE ORDER

Members without the new DAS photo badges are asked to make arrangements to have this done.

Members were advised that James McGaughey, Executive Director, Office of Protection and Advocacy, retired. Henry Miga, Chair, will send a letter on behalf of the Codes & Standards Committee to acknowledge his retirement and service to this Committee and the citizens of Connecticut. Gretchen Knauff is the Acting Executive Director.

The next Codes and Standards Committee meeting is set for **August 13, 2014** and will be held in conference room (G38), at 165 Capitol Avenue, Hartford, Connecticut. The Committee does not meet in July.

David McKinley, Secretary